

Introduces Bill to Clarify Federal Stalking Statutes and Increase Penalties for Offenders

WASHINGTON, D.C. – Congresswoman Loretta Sanchez (CA-47), a longtime member of the Congressional Caucus for Women's Issues, today introduced a tough new bill that would strengthen federal stalking laws to ensure victims are protected and offenders are punished. In addition to clarifying existing laws, H.R. 5662, the Simplifying the Ambiguous Law, Keeping Everyone Reliably Safe (STALKERS) Act of 2010, would give law enforcement authorities the tools they need to prevent and prosecute stalking in the digital age.

“Physical stalking, cyberstalking, and other acts of intimidation are serious crimes that deserve serious consequences,” said Rep. Sanchez. “Unfortunately, existing federal law doesn’t do enough to protect victims and empower prosecutors. My bill would do both by strengthening existing laws to ensure all forms of harassment are taken seriously in the eyes of the law.”

Currently, federal law is primarily focused on “conventional” acts of stalking such as following someone across state lines, sending unsolicited mail, or making harassing phone calls. But stalking victims are increasingly suffering from cyberstalking and electronic monitoring such as spyware, bugging, or video surveillance. Unfortunately, existing laws do not adequately address these issues or the use of new technologies to harass.

The STALKERS Act of 2010 would expand the scope of federal stalking laws to cover “any conduct in or affecting interstate commerce.” This straightforward language gives the broadest possible mandate to federal law enforcement. It also extends to acts of surveillance and covers new technologies as they develop.

Rep. Sanchez’s bill would also empower law enforcement to prosecute any act of stalking that is “reasonably expected” to cause another person serious emotional distress. Current laws cannot be enforced unless a victim can demonstrate a reasonable fear of physical injury, but victims of stalking often do not recognize significant threats until it is too late for law enforcement to intervene. Rep. Sanchez’s language would give authorities the power to stop stalkers even if a victim is not fully aware of the danger he or she may be facing.

The STALKERS Act of 2010 also increases the punishment for stalking offenses in two special cases: for stalking in violation of a protective order, the maximum sentence increases by five years. For stalking that targets a victim under the age of eighteen, the maximum sentence increases by ten years. Finally, the bill requires the Attorney General to annually evaluate federal, state, and local efforts to enforce stalking laws, and submit an annual report on what works – and what *doesn't* work – in the enforcement of these laws.